

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,) Case No. MJ09-425
v.)
TUAN LAM,) DETENTION ORDER
Defendant.)

Offenses charged:

Count 1: Manufacturing Marijuana, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)

Count 2: Possession of Firearms in Furtherance of a Drug Trafficking Offense, in violation of 18 U.S.C. § 924(c)(1)(A)(i)

Date of Detention Hearing: August 26, 2009

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that defendant is a flight risk and a danger to the community based on the nature of the pending charges. Application of the presumption is appropriate in this case.

(2) At the time of service of a search warrant, defendant fled through a bedroom

01 window.

02 (3) A loaded automatic rifle was found during the search. Another fully loaded
03 handgun was also discovered.

04 (4) Defendant was on supervision and violated the terms of his release when this
05 conduct occurred.

06 (5) Defendant has a substance abuse problem.

07 (6) There are no conditions or combination of conditions other than detention that
08 will reasonably ensure the appearance of the defendant as required or ensure
09 the safety of the community.

10 IT IS THEREFORE ORDERED:

11 (1) Defendant shall be detained pending trial and committed to the custody of the
12 Attorney General for confinement in a correctional facility separate, to the extent practicable,
13 from persons awaiting or serving sentences or being held in custody pending appeal;

14 (2) Defendant shall be afforded reasonable opportunity for private consultation
15 with counsel;

16 (3) On order of a court of the United States or on request of an attorney for the
17 government, the person in charge of the corrections facility in which defendant is confined
18 shall deliver the defendant to a United States Marshal for the purpose of an appearance in
19 connection with a court proceeding; and

20 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
21 counsel for the defendant, to the United States Marshal, and to the United States Pretrial
22 Services Officer.

23 DATED this 26th day of August, 2009.

24 
25 JAMES P. DONOHUE
26 United States Magistrate Judge